

I hereby certify that this paper is being deposited with the U.S. Postal Service via Express Mail Label No. EV513654124US to MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Dated: August 24, 2007

Signature: Valerie Cohen

(Valerie Cohen)

Patent

Docket No. 509982005900



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Emmanuel DREGE et al.

Serial No.: 10/791,046

Filing Date: March 1, 2004

For: SELECTING A PROFILE MODEL FOR
USE IN OPTICAL METROLOGY
USING A MACHINE LEARNING
SYSTEM

Examiner: G. Davis

Group Art Unit: 2129

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ **Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.**
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of ___ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of ___ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 509982005900.

Dated: August 24, 2007

Respectfully submitted,

By 

Peter J. Yim

Registration No.: 44,417
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105-2482
(415) 268-6373



ALTERNATIVE TO PTO/SB/08A/B (04/07)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/791,046
				Filing Date	March 1, 2004
				First Named Inventor	Emmanuel DREGE
				Art Unit	2129
				Examiner Name	G. Davis
Sheet	1	of	1	Attorney Docket Number	509982005900

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1.	US-5,479,573-A	12-26-1995	Keeler et al.	
	2.	US-5,793,480-A	08-11-1998	Lacey et al.	
	3.	US-6,192,103-B1	02-20-2001	Wormington et al.	
	4.	US-6,609,086-B1	08-19-2003	Bao et al.	
	5.	US-6,650,422-B2	11-18-2003	Singh et al.	
	6.	US-6,657,736-B1	12-02-2003	Finarov et al.	
	7.	US-6,665,446-B1	12-16-2003	Kato et al.	
	8.	US-6,785,638-B2	08-31-2004	Niu et al.	
	9.	US-6,943,900-B2	09-13-2005	Niu et al.	
	10.	US-7,126,700-B2	10-24-2006	Bao et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	11.	EP-0448890-A1	10-02-1991	N.V. Phillips ¹ Gloeilampenfabrieken Laboratoires D'Electronique Philips		

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	12.	Gahegan, M. et al. (1999). "Dataspaces as an Organizational Concept for the Neural Classification of Geographic Datasets," GeoComputation, located at < http://www.geovista.psu.edu/sites/geocomp99/Gc99/011/gc_011.htm > visited on August 14, 2007, (8 pages).		
	13.	Haykin, S. (1999). <u>Neural Networks</u> . 2nd edition, M. Horton ed., Prentice Hall: Upper Saddle River, New Jersey, 9 pages (Table of Contents).		
	14.	International Search Report mailed May 16, 2005, for PCT Application No. PCT/US04/20682 filed June 25, 2004, 2 pages.		
	15.	Press, W. H. et al. (1992). <u>Numerical Recipes in C: The Art of Scientific Computing</u> . Cambridge University Press, 2nd edition, 8 pages (Table of Contents).		
	16.	Vapnik, V. N. (1998). <u>Statistical Learning Theory</u> . John Wiley & Sons, Inc., 15 pages (Table of Contents).		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

sf-2376092